

## REMARKS

The allowance of claims 15 – 20 is noted with appreciation.

The rejection of claims 27 and 33 on obviousness-type double patenting over claims 1 – 5 of parent patent no. 6,684,289 is believed overcome by the filing of the accompanying Terminal Disclaimer. This is not to be taken as an agreement with the rejection but rather is simply the most expedient way to respond to the rejection.

Reconsideration of the rejection of claims 27 – 33 under 35 U.S.C. § 112, second paragraph, is respectfully requested in light of the amendments being made to independent claim 27. Although the concerns expressed in the Office Action may not be fully understood by the undersigned attorney, it is believed that any indefiniteness has been corrected without further limiting the scope of the claims.


In response to the first two claim phrases referenced in paragraph 3 of the Office Action, the claimed functions are now more specifically expressed as being performed on the groups of memory cells.

Further, the preamble of claim 27 is believed to make clear that groups of memory cells are configured to store a given number of units of user data and associated overhead data, while the first storing step states that the user data are stored without the associated overhead data, thereby allowing more than the given number of units of user data to be stored within the capacity of a group of memory cells. This is illustrated by the example of Figure 8 of the present application. A block 103 of memory cells has a capacity to store one sector S of 512 bytes of user data along with 16 bytes of associated overhead data in each page P of memory cells within the block. But the capacity provided for the storage of overhead data in the block 103 is utilized instead to store user data. The result, in this specific example, is that the block capacity of 32 sectors of user data plus associated overhead data is utilized to store 33 data sectors instead, without the overhead data. The associated overhead data are then stored in a separate block, as illustrated in Figure 9.

In addition, a current review of dependent claims 28 and 30 – 32 has resulted in certain amendments being made, primarily to improve their references to antecedents of claim 27 from which they depend. The amendments to claims 30 – 32 have also been made to reference the antecedents of claim 27 in the same way.

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further issues that need to be resolved, particularly if they relate to the manner of expression of any of the claims, a telephone call to the undersigned attorney at 415-318-1163 would be appreciated.

Respectfully submitted,

  
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Date

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